

September 7, 2017

The Honorable Bob Goodlatte  
Chairman  
House Judiciary Committee  
2138 Rayburn House Office Building  
U.S. House of Representatives  
Washington DC, 20515

Dear Chairman Goodlatte:

On behalf of the thousands of businesses represented by the organizations listed below, we express our strong support for H.R. 620, "The ADA Education and Reform Act of 2017," and thank the committee for its leadership in addressing this important issue.

This bipartisan and narrowly tailored legislation would ensure that the intent of Title III of the Americans with Disabilities Act (ADA) -- to provide improved access to public accommodations for disabled Americans -- is accomplished. The legislation would do so while preventing well-meaning business owners from falling victim to "drive-by" lawsuits - the practice of identifying technical, easily correctable violations to extort a settlement consisting principally of attorneys' fees.

According to recent statistics, the number of Title III lawsuits filed in federal court in 2016 increased 37% from the previous year. In many instances, a single plaintiff has filed dozens, even hundreds, of cases across a geographic area alleging violations. Often without the resources to contest the suit or even verify the standing of the complainant, thousands of businesses are left with little choice but to make monetary settlements. The ADA was intended to improve access for the disabled, not to line the pockets of unscrupulous attorneys.

H.R. 620 recognizes that many ADA access violation claims could be addressed more effectively by providing for a "notice and cure" provision. This simple, common sense approach would allow a business to actually identify and correct alleged ADA violations before engaging in an unnecessarily lengthy and costly settlement process. By removing the current incentives to merely seek payment of legal fees, the emphasis can once again be placed on compliance and improved access.

The undersigned organizations are committed to creating a safe, welcoming environment for those whom they serve and acknowledge the significant positive impact the ADA has made in our society. We believe H.R. 620 is needed to ensure that resources are focused on improving access while protecting businesses from abusive lawsuits. We encourage the Judiciary Committee to report the bill as soon as possible.

We thank you for your leadership and careful consideration of this issue.

Sincerely,

American Hotel and Lodging Association

American Resort Development Association

Asian American Hotel Owners Association

Building Owners and Managers Association (BOMA) International

Coalition of Franchisee Associations

Franchise Business Services

Institute of Real Estate Management

International Council of Shopping Centers

International Franchise Association

NAIOP, the Commercial Real Estate Development Association

National Apartment Association

National Association of Convenience Stores

National Association of REALTORS®

National Association of Real Estate Investment Trusts

National Association of Residential Property Managers (NARPM®)

National Association of Theatre Owners

National Council of Chain Restaurants

National Federation of Independent Business

National Franchisee Association

National Multifamily Housing Council

National Restaurant Association

National Retail Federation

Retail Industry Leaders Association

U.S. Chamber of Commerce

CC: Members of House Judiciary Committee